

July 9, 2014

Filing through Joint Sponsorship

Q: *My mother has recently become a U.S. citizen and wants to file an immigrant petition for me. However, we heard that in order for a family member to sponsor an immigrant, they have to make a certain amount of money. My mother is retired and does not have any income. Can she still file for me?*

The short answer is, yes, she can still file for you! She will however have to find a joint sponsor, maybe a friend or family member, who meets the requirements and is willing to be financially responsible for you when you immigrate.

Everyone who files an immigrant petition has to submit an Affidavit of Support (form I-864) to show that they have access to enough money to support everyone in their household, including the people immigrating, at or above 125% of the U.S. poverty line. If your mother is petitioning for you and she lives together with her husband, her household size is three (herself + her husband + you). 125% of the current poverty line for a household size of three is \$24,737 per year, so she would have to have access to at least that amount of annual income in order to support you financially. Please note that unemployment compensation does not count towards income because it is temporary income.

In addition to the Affidavit of Support, the petitioner must also submit proof of their income (such as W2 forms, which are documents the petitioner can get from their employer) and their U.S. tax returns from the last 3 years. If they have not filed taxes because they do not make enough money to be required to file taxes, they should include a letter stating that. Even if the petitioner cannot financially support the immigrant on their own, they must submit the Affidavit of Support with their tax and income information.

In the example above, if your mother does not make \$24,737, but her husband's income would help meet this amount, she can combine her income together with his income. Her husband would need to submit a household member contract (form I-864A), which says that he is willing to combine his income with his wife's and support the immigrants she is sponsoring. This needs to be signed by both the petitioner (your mom) and the household member (her husband). He would also need to provide proof of his income (such as a W2) and tax returns.

If no one in your mother's household makes enough money to support the household, including the people immigrating, your mom needs to find a joint sponsor. This person can be a relative, a friend, a business associate – anyone who wants to be of assistance to your mother and you. The joint sponsor still needs to make enough money to sponsor their own household, plus anyone they have sponsored before, plus you. For example, if your mother's church minister volunteers to help sponsor you, and he has a wife and one child, his household size is four (himself + his wife + his child + you). As of 2014, he would need to make at least \$29,812 to be

able to sponsor you. If he meets that requirement, he can fill out an I-864 (the same Affidavit of Support form your mother filled out), and submit his proof of income, his most recent tax return, and proof of his status in the United States as either a U.S. citizen or permanent resident. Proof of status can be a U.S. birth certificate, U.S. passport, U.S. naturalization certificate, or a copy of his green card if he is a permanent resident.

For further details and questions, visit the immigrant visa petition process on our website at http://kingston.usembassy.gov/application_process.html.

You can find more information about how to travel to the U.S. on our website, www.kingston.usembassy.gov. Keep on top of Embassy news on our Facebook page, <https://www.facebook.com/pages/US-Embassy-Jamaica> and by following @USEmbassyJA on Twitter. We also answer general visa questions on our Facebook and Twitter pages.